

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JULIE A. SU, Acting Secretary of Labor,
United States Department of Labor,

Plaintiff,

v.

SL ONE GLOBAL, INC., et al.,

Defendants.

No. 2:22-cv-0583 WBS DB

ORDER

On August 24, 2023, plaintiff filed a motion to compel which is noticed motion for hearing before the undersigned on October 27, 2023, pursuant to Local Rule 302(c)(1). (ECF Nos. 74 & 87.) That same day plaintiff filed a document styled as a “Joint Statement,” but in fact contains only plaintiff’s argument. (ECF No. 75.) Plaintiff’s filing violates the Local Rules and the undersigned’s Standard Information.

Pursuant to Local Rule 251(b) a discovery motion “shall not be heard unless [] the parties have conferred and attempted to resolve their differences[.]” In this regard, “[c]ounsel for all interested parties shall confer in advance of the filing of the motion or in advance of the hearing of the motion in a good faith effort to resolve the differences that are the subject of the motion.” (Id.) If, after meeting and conferring, the moving party remains dissatisfied, that party shall draft

////

1 and file a “Joint Statement re Discovery Disagreement.” Local Rule 251(c). The failure to file a
2 Joint Statement may result in the hearing being dropped from calendar. Local Rule 251(a).

3 The undersigned’s Standard Information re discovery disputes found on to the court’s web
4 page at [http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db)
5 [magistrate-judge-deborah-barnes-db](http://www.caed.uscourts.gov/caednew/index.cfm/judges/all-judges/united-states-magistrate-judge-deborah-barnes-db) explains that parties must meet and confer prior to filing a
6 discovery motion and “must again confer in person or via telephone or video conferencing” prior
7 to the filing of the Joint Statement. Here, according to the purported Joint Statement, “Plaintiff’s
8 counsel provided a draft of this Joint Statement to Defendants” on August 8, 2023.” (ECF No. 75
9 at 6.) Plaintiff then filed the “essentially unchanged” version of that document concurrently with
10 filing the motion to compel. Plaintiff has thus failed to satisfy the meet and confer and Joint
11 Statement requirements found in the Local Rules and the undersigned’s Standard Information.¹

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. Plaintiff’s August 24, 2023 motion to compel (ECF No. 74) is denied without prejudice
14 to renewal; and
15 2. The October 27, 2023 hearing of plaintiff’s motion is vacated.

16 Dated: October 23, 2023

17
18 
19 DEBORAH BARNES
20 UNITED STATES MAGISTRATE JUDGE
21
22

23 DLB:6
24 DB/orders/orders.civil/su0583.mtc.den.m&c.ord
25
26

27
28 ¹ In an opposition filed on September 7, 2023, defendants assert that they supplemented their
production on June 22, 2023, and received no communication from plaintiff thereafter. (Def.’s
Opp.’n (ECF No. 79) at 13.)